

PROVISO

SUBCOMMITTEE

RECOMMENDATIONS



ECONOMIC DEVELOPMENT

AND

NATURAL RESOURCES

**PROVISO SUBCOMMITTEE
ECONOMIC DEVELOPMENT AND NATURAL RESOURCES
RECOMMENDATIONS FOR FY 2009-10
TO THE HOUSE WAYS AND MEANS COMMITTEE**

SECTION 35 - P20 - CLEMSON UNIVERSITY - PSA

- 35.fif** **ADD** (CU-PSA: Fertilizer Inspection Fee) **PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to authorize Clemson PSA to charge an inspection fee of \$1.50 per ton of commercial fertilizer sold or distributed in the state and to retain, expend, and carry forward these funds to maintain its programs. Fiscal Impact: Pending. Requested by Clemson University-PSA.

35.fif. (CU-PSA: Fertilizer Inspection Fee) For the current fiscal year Clemson Public Service Activities is authorized to charge an inspection fee of \$1.50 per ton of commercial fertilizer sold or distributed in this state. Clemson University-PSA may retain, expend, and carry forward these funds to maintain its programs.

- 35.lif** **ADD** (Lime Inspection Fee) **PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to authorize Clemson PSA to charge an inspection fee of \$0.50 per ton on Agricultural Liming Materials sold or distributed in the state and to retain, expend, and carry forward these funds to maintain its programs. Fiscal Impact: Pending. Requested by Clemson University-PSA.

35.lif. (CU-PSA: Lime Inspection Fee) The Public Service Activities of Clemson University are hereby authorized to charge an inspection fee of \$0.50 per ton on Agricultural Liming Materials sold or distributed in this state. Clemson University-PSA may retain, expend, and carry forward these funds to maintain its programs.

- 35.npa** **ADD** (Noncommercial Pesticide Applicator Fee) **PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to authorize Clemson PSA to charge noncommercial pesticide applicators an annual licensing fee of \$50 and to retain, expend, and carry forward these funds to maintain its programs. Fiscal Impact: Pending. Requested by Clemson University-PSA.

35.npa. (CU-PSA: Noncommercial Pesticide Applicator Fee) The Public Service Activities of Clemson University are hereby authorized to charge noncommercial pesticide applicators an annual licensing fee of \$50.00. Clemson University-PSA may retain, expend, and carry forward these funds to maintain its programs.

SECTION 40 - P32 - DEPARTMENT OF COMMERCE

- 40.12** **AMEND** (Coordinating Council Funds) Authorizes the council, from funds set-aside by Section 12-28-2910 [SOUTH CAROLINA COORDINATING COUNCIL FOR ECONOMIC DEVELOPMENT; ESTABLISHING PROJECT PRIORITIES; DISPOSITION OF PAYMENTS], to spend funds unobligated or uncommitted as of July 1 of the current fiscal year only as necessary for location or expansion of an industry or business facility in the state. Defines eligible expenditures and site preparation. Requires the Coordinating Council annually prepare a detailed report and which shall be submitted to the General Assembly by March 15th that itemizes expenditures for the preceding calendar year and includes the following information: company name or confidential project number; location of the project; amount of grant award; and scope of grant award. Directs that the General Assembly shall not appropriate funds or direct the council to extend loans or grants. Directs that the council shall not extend loans or grants from the amounts set aside by Section 12-28-2910 for any other purpose.

**PROVISO SUBCOMMITTEE
ECONOMIC DEVELOPMENT AND NATURAL RESOURCES
RECOMMENDATIONS FOR FY 2009-10
TO THE HOUSE WAYS AND MEANS COMMITTEE**

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to authorize the council, in order to provide maximum flexibility to encourage new jobs creation and capital investments, to transfer economic development funds at its disposal to the Closing Fund. Authorize any unexpended balance to be carried forward and expended by the department for the same purpose. Fiscal Impact: No impact on the General Fund.

40.12. (CMRC: Coordinating Council Funds) From the amount set aside pursuant to Section 12-28-2910 of the 1976 Code, the council is authorized to expend funds which were not obligated or committed as of July 1 of the current fiscal year only as necessary for the location or expansion of an industry or business facility in South Carolina. Eligible expenditures include water/sewer projects, road or rail construction/improvement projects, land acquisition, fiber-optic cable, relocation of new employees for technology intensive and research and development facilities as defined in South Carolina Code Section 12-6-3360, and site preparation. Site preparation is defined as surveying, environmental and geo-technical study and mitigation, clearing, filling, and grading. The Coordinating Council shall annually prepare a detailed report each year for submission to the General Assembly by March 15 of each year which itemizes the expenditures from the fund for the preceding calendar year. Such report shall include an identification of the following information: (a) company name or confidential project number; (b) location of the project; (c) amount of grant award; and (d) scope of grant award.

The General Assembly shall not appropriate funds, and shall not direct the Coordinating Council to extend loans or grants nor shall the Coordinating Council extend any loans or grants from the amount set aside pursuant to Section 12-28-2910 for any purpose other than those listed in this proviso.

In order to provide maximum flexibility to encourage the creation of new jobs and capital investment, the Coordinating Council for Economic Development has the authority to transfer economic development funds at its disposal to the Closing Fund. Any unexpended balance on June 30, of the prior fiscal year may be carried forward and expended in the current fiscal year by the Department of Commerce for the same purpose.

40.23 **DELETE** (Motion Picture Rebate) Authorizes the Film Commission to offer rebates to a motion picture production company as follows: from funds set-aside by Section 12-62-50 [TAX REBATE FOR EMPLOYMENT OF PERSONS SUBJECT TO SOUTH CAROLINA INCOME TAX WITHHOLDINGS], up to 20% of the total aggregate S.C. payroll for persons employed in connection with the production who are subject to SC income tax withholdings and from funds set-aside by Section 12-62-60 [DISTRIBUTION OF ADMISSIONS TAXES; REBATES TO MOTION PICTURE PRODUCTION COMPANIES; PROMOTION OF COLLABORATIVE EFFORTS BETWEEN INSTITUTIONS OF HIGHER LEARNING AND MOTION PICTURE RELATED ENTITIES], up to 30% of the expenditures made by the company in the State. Directs that motion picture production companies that have previously been approved at the lower percentages may reapply for the higher percentages only if the project is still in production in this state as of the effective date of this provision.

PROVISO SUBCOMMITTEE RECOMMENDATION: DELETE proviso. *Act 359 of 2008 moved the SC Film Commission from the Department of Commerce to the Department of Parks, Recreation and Tourism. Proviso is moved to PRT's section.* Fiscal Impact: No impact on the General Fund.

40.23. (CMRC: Motion Picture Rebate) ~~From the amount set aside pursuant to Section 12-62-50, the South Carolina Film Commission may rebate to a motion picture production company, up to twenty percent of the total aggregate South Carolina payroll for persons~~

**PROVISO SUBCOMMITTEE
ECONOMIC DEVELOPMENT AND NATURAL RESOURCES
RECOMMENDATIONS FOR FY 2009-10
TO THE HOUSE WAYS AND MEANS COMMITTEE**

~~subject to South Carolina income tax withholdings employed in connection with the production. From the amount set aside pursuant to Section 12-62-60, the South Carolina Film Commission may rebate to a motion picture production company up to thirty percent of the expenditures made by the motion picture production company in the State. Motion picture production companies that have previously been approved at the lower percentages may reapply for the higher percentages only if the project that was approved is still in production in South Carolina as of the effective date of this proviso.~~

- 40.26 DELETE** (Film Marketing) Authorizes the department to use film marketing funds in Program II.B [BUSINESS SOLUTIONS] to allow for assistance with film industry recruitment and infrastructure development; to develop a film crew base; to develop film industry ally support; and for marketing and special events.
PROVISO SUBCOMMITTEE RECOMMENDATION: DELETE proviso. *Act 359 of 2008 moved the SC Film Commission from the Department of Commerce to the Department of Parks, Recreation and Tourism. Proviso is moved to PRT's section. Fiscal Impact: No impact on the General Fund.*

~~**40.26.** (CMRC: Film Marketing) From the funds authorized to the Department of Commerce in Section 40, Part IA, Program II.B. of this act, the department may use the film marketing funds for the following purposes: 1) to allow for assistance with recruitment and infrastructure development of the film industry; 2) to develop a film crew base; 3) to develop ally support in the film industry; and 4) marketing and special events.~~

- 40.27 DELETE** (Motion Picture Administration Application Fee) Authorizes the Coordinating Council for Economic Development to charge an application fee for Motion Picture Incentive programs and to retain and expend these fund to meet administrative, data collection, credit analysis, cost-benefit analysis, reporting and auditing, and other statutory obligations. Requires a fee schedule be established and approved by the Coordinating Council for Economic Development.
PROVISO SUBCOMMITTEE RECOMMENDATION: DELETE proviso. *Act 359 of 2008 moved the SC Film Commission from the Department of Commerce to the Department of Parks, Recreation and Tourism. Proviso is moved to PRT's section. Fiscal Impact: No impact on the General Fund.*

~~**40.27.** (CMRC: Motion Picture Administration Application Fee) The Coordinating Council for Economic Development may charge an application fee for the Motion Picture Incentive programs and may retain and expend these funds for the purposes of meeting administrative, data collection, credit analysis, cost-benefit analysis, reporting and auditing, and other statutory obligations. A fee schedule must be established and approved by the Coordinating Council for Economic Development.~~

SECTION 69 - Y14 - STATE PORTS AUTHORITY

- 69.1 AMEND** (Charleston Cooper River Bridge Project) Directs the State Ports Authority to pay the State Transportation Infrastructure Bank \$1,000,000 before 6/30/09 from other general fund or operating fund surplus and any funds appropriated to the authority in prior fiscal years that are unspent as of 7/1/08, to continue the Charleston Cooper River Bridge Project.
PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to change "2008" to "2009" and "2009" to "2010." *Meets the obligations of the State Ports Authority*

**PROVISO SUBCOMMITTEE
ECONOMIC DEVELOPMENT AND NATURAL RESOURCES
RECOMMENDATIONS FOR FY 2009-10
TO THE HOUSE WAYS AND MEANS COMMITTEE**

and the State Infrastructure Bank's financial agreement. Fiscal Impact: No impact on the General Fund. The funds used to pay the Transportation Infrastructure Bank are operating funds of the Ports Authority, none of which are state appropriated funds. Generates \$1,000,000 for the State Transportation Infrastructure Bank. Per the Ports Authority, the commitment of the agency is to provide \$1,000,000 per year for 25 years, until 2027.

69.1. (SPA: Charleston Cooper River Bridge Project) The State Ports Authority shall, from other general fund or operating fund surplus available and any funds appropriated to the authority in prior fiscal years and left unexpended as of July 1, ~~2008~~ 2009, pay to the State Transportation Infrastructure Bank one million dollars before June 30, ~~2009~~ 2010, to continue the Charleston Cooper River Bridge Project.